

REMARKS

Reconsideration of this application, in view of the above amendments and arguments herewith, is respectfully requested.

I. Status of the Claims

Claims 1 through 13 have been amended to more distinctly describe the claimed subject matter.

No new matter has been introduced by amendments to the claims.

II. Acknowledgement of Allowable Subject Matter

Applicants thank the Examiner for stating that claims 2-8 and 11-13 contains allowable subject matter if amended to independent form.

III. Rejections under 35 U.S.C. §102

Claims 1, 9, and 10 have been rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,822,998 to Lim et al. ("Lim"). The Examiner contends that Lim discloses all the elements of the Applicants' invention and thus anticipates the claimed invention.

Applicants respectfully traverse this rejection as Lim fails to disclose all the elements of claim 1. Claim 1 is directed to an air duct system for a combined refrigerator/freezer having at least one first and one second return duct. In addition, the first and second return ducts are positioned on opposite sides of a transversal through-duct which is centrally provided in front of a rear chamber and having an end maintained in fluid communication with a refrigerated air outlet and an opposite end opened to the inside of the refrigerating compartment.

Lim does not disclose first and second return ducts positioned on opposite sides of a transversal through-duct. The first and second air passages and first and second ducts, as disclosed

in Lim, serve only to guide the flow of cool air generated from the evaporator to the refrigerator and freezing compartments and are not return ducts. (*See*, Lim Col. 5, line 66 – Col. 6, line 1 and Col. 7, lines 21-28).

Further, although Lim in Figure 4 appears to illustrate return ducts, they are not labeled or discussed. Moreover, Figure 4 does not illustrate return ducts positioned on opposite sides of a transversal through-duct. Thus, Lim lacks at least this feature of the Applicants' invention as claimed in claim 1. Therefore, Lim does not anticipate claim 1 or claims 9 and 10 which depend from claim 1. Accordingly, withdrawal of this rejection is respectfully requested. In addition, claims 2-8 and 11-13 should be allowed as depending from an allowable independent claim 1 pursuant to the above remarks.

CONCLUSION

In view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

No additional fee is required for the amendment. However, should the U.S. Patent and Trademark Office determine that any other fee is due the Commissioner is hereby authorized and requested to charge the required fee(s) to our Deposit Account No. 04-0110.

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Respectfully submitted,

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